

*Minutes*  
**DEFIANCE TOWNSHIP TRUSTEES**  
**MAY 25<sup>TH</sup>, 2010 MEETING**

The Defiance Township Trustees met in regular session at the Defiance County Commissioners building – 2<sup>nd</sup> Floor conference room, 500 Court Street, in Defiance Township, Defiance, Ohio, on Tuesday May 25<sup>th</sup>, 2010 at 7:30 p.m. Following the Pledge of Allegiance the Chair instructed the clerk to call the roll. Answering as present were Daniel Peck, Charles A. Bakle Jr. and Diana Mayer; also present was Tim Houck, Township fiscal officer -Clerk. All three (3) members of the BOARD OF TRUSTEES having answered the roll, a quorum was declared.

Township employees present were: James Schlegel (equipment operator and zoning inspector) – 220 Pinewood Ave., Ed Young - 23013 Watson Rd., Joe Kolb 16492 Cullen rd. Ruth Ann Schofield Twp Zoning Commission & Jason Shaffer -13386 St Rte 15.

Visitors present: Richard Ankney 19133 Hammersmith Rd., Penny Bakle 1204 Wayne Ave, Tom Mick 21389 Hammersmith rd, Dave Mick 14289 Hammersmith rd, Margo Straman 15367 South State Rte 66, & JoEllen Houck 8 Deville Drive – all of Defiance, Ohio.

**ORDER OF BUSINESS NO. 1**

Review and approval of minutes of the previous session.

Chairman Bakle noted that the minutes reflected that Tom and Mary Mick resided at 21629 Hammersmith and in fact Tom lives at 21389 Hammersmith. The fiscal officer noted the error and will correct the April minutes.

Chairman Bakle then requested a motion for the approval of minutes from the April 27<sup>th</sup>, 2010 session as amended..

Peck moved to approve.  
Mayer seconded.

The vote being   3   Yea(s)   0   Nea(s)  
The MINUTE'S for the April 27<sup>th</sup>, session were approved.

**ORDER OF BUSINESS NO. 2 - Citizen concerns:**

- a) The chair asked for citizen concerns from the floor.
  - i) Richard Ankney 19133 Hammersmith Rd, was recognized and stated that he had been contacted by a citizen who informed him that the north side edge of Bowman road (that portion that is in Defiance Twp) was deteriorating and needs fixed.
    - (1) Trustees instructed the Twp crew to check this out and to fix the problem.
  - ii) Tom Mick 21389 Hammersmith rd – was then recognized and he raised a concern about the standing water along the north and south sides of the west end of Kiser Rd. He says that after a rain, water is not draining into the drainage ditches and this occurs periodically along Kiser for the first mile. He feels that this condition if not corrected will eventually deteriorate the road.
    - (1) Bakle said he would check this out and discuss with the Co Engineer. (this road was rebuilt in 2004).
- b) Ed Young 23013 Watson Rd – was acknowledged – he noted that the house next to his is not being lived in and no one is regularly mowing the property. The high grass is causing mosquito issues. The property is 23047 Watson rd.
  - i) Ed filled out a Twp complaint form and submitted it to Schlegel who will investigate.
- c) Again, the Chair asked if there were any other issues under citizens concerns. There were none voiced.

**ORDER OF BUSINESS NO.3 - FINANCES –**

The following financial reports provided to the Board were reviewed.

- a) The Reconciliation for April – noted a primary checking reconciliation balance of \$133,200.48 balance is

- minus the outstanding checks and Township investment funds.
- b) Receipt & Payment reports
  - i) Receipts for May 2010 were \$15,125.28. Payments for May (bills & payroll) totaled \$30,331.20.
- c) The Cash fund summary through May 31<sup>st</sup>, 2010, showed an "ending cash balance" of \$818,403.68.
- d) The unencumbered cash balance "cash available" was \$470,825.51 which is the balance after encumbrances are subtracted from the cash balance.
- e) Appropriation Status showed that through May 31<sup>st</sup>, 2010, 9.7% of the years' appropriations had been expended. All reports will be on file in the Fiscal Officer's office.
- f) The fund status report showed:
  - i) The money market investment fund balance as of 05-31-10 was \$701,787.76.
- g) Trustees reviewed and signed the May bills without comment.
- h) Trustees reviewed and signed the May payroll without comment.

Mr. Bakle requested a motion to accept the May financial reports.

MOTION by: Dan Peck

SECOND by: Diana Mayer

YEA(s) 3      NAY(s) 0      Passed X      Failed

The May financial reports were approved.

**ORDER OF BUSINESS NO. 4 – Zoning** - Status update on the following zoning Issues as of this session:

- a) The Chair asked for the Monthly Zoning report - Inspector's Report - Mr. Jim Schlegel provided the following electronic copy of this report.
  - i) May 2010
    - (1) Met with Jeff @ Soil & Water we went over the Twp. Land Use Map. After much discussion, General Business & Prime Manufacturing was added. Jeff feels at this point the Township is covered in all aspects & areas of concern for Land Use. The Township Zoning map was also discussed, the only proposed change was Sanford Trucking on Co Rd 24 is in the city.
    - (2) Septic System Request Issued Rosebrock Harding Rd.
    - (3) Still receiving request for permit info on postage stamp parcel on Bowman Rd.
    - (4) Investigated a high weeds written complaint on Williams Rd after numerous visits and phone calls. I was advised by the occupant that this parcel is CRP land and no mowing required. I spoke with S&W and was advised after a lengthy search this land is indeed CRP land and will be for 10-15 years. Advised Complainant of same.
    - (5) Received a complaint of high grass at a residence on SR 111. Since I was out in the area I decided against my better judgment to make contact with the occupant without a written complaint. I spoke with the wife at the residence whom advised they will try to get it mowed by the weekend. After returning home I received a message from the husband telling me in no uncertain terms stay off my property you have no right here with other explicative's. He then advised the yard will be mowed. I advised the complainant of this and she did not want to pursue it for fear or repercussion. Then receiving a call from trustee Mayer advising she would sign the complaint. I advised her I felt I have the situation under control and do not feel any further action is required.
- b) Schlegel then offered his opinion on the past discussion about the Twp's policy regarding nuisance complaints. It was noted in the April session that the Twp policy is that a citizen fills out a complaint form before the nuisance officer-zoning inspector responds. Trustees had discussed the possibility of noting such issues during their inspections of Twp roads and projects. The problem with that tack being that what might be a nuisance to a Trustee might not be to a citizen or citizen's neighbor.
  - i) Trustees indicated that they would act when contacted by a citizen who wished to retain anonymity for security purposes.
  - ii) Schlegel will respond to an issue when Trustees call and Trustees will complete the complaint form for record keeping purposes.
  - iii) This closed the discussion on this issue.
- c) Trustees were informed that the Zoning Commission met just prior to the regular Trustee session. The Commission is reviewing and updating the Twp Zoning Map, the Twp land use (planning) map, and several requests for modifications to the current Twp zoning codes from the Twp Zoning Inspector.
  - i) This process requires three consecutive monthly sessions and the session of 5-25 was the third session. The Commission approved the final edits to the Township's zoning map and the land use map by Soil & Water. The Commission also approved the final edits to the Twp's Zoning Plan's language. The

language edits would amend the code in the three sections. The final edits to both the maps and the text of the Zoning plan will be presented to the prosecutor for review then to the Trustees for final adoption.

- d) Mr. Bakle asked if there are any other zoning issues to come before the Board?
  - i) There were none.

#### **ORDER OF BUSINESS NO. 5 -- Equipment;**

- a) The Chair asked if there were any comments or concerns from Twp employees on current or proposed new eq.
  - i) The purchase of a replacement mower and tractor for the Twp. was discussed.
    - (1) See agenda's from July 09 through Feb 10 for details.
      - (a) This effort was completed with the signing of bills during this session. The Tractor a 1997 or 2005 John Deere model 5400 used was purchased for \$15,000. The Twp's old Ford tractor and mower were traded in on this unit. Trade in value was \$4,000. Cost to the Twp for the used John Deere was then \$11,000.
      - (b) The mower, a 2010 New Holland, disc pull behind mower was purchased through the State's DAS (state purchasing program), its cost was \$6,188.
      - (c) Both units were acquired through Homier & Son's of Continental, Ohio.
      - (d) It was noted that there remains some issues with hose leak's and lights not working. Jason Shaffer said the mower blades brake off easily, the air conditioning doesn't work well and that safety strobe lighting that flashes 360° should be added.
      - (e) Richard Ankney was acknowledged – he said he observed that the bucket arms of the unit are bent. He feels the Twp bought a unit that was “used hard”.
        - (i) Trustees responded that:
          - 1. We purchased a used tractor and much of this was anticipated.
          - 2. The Twp did not plan on using the bucket that came with this unit. The bucket was consider a plus just to have it on the unit. The Twp will most likely use this only to move salt around the salt barn.
          - 3. This unit is primarily a mower unit and will serve that purpose.
          - 4. Homier & Son's will return to repair some of the light issues at their exp.
- b) Trustees were then up-dated on effort by Twp staff to purchased tools as approved by the Trustees in the Jan 2010 session.
  - i) Total approved expenditures though the April session was \$818
  - ii) Trustees approved an additional \$1,000 for a total tool-minor eq expenditure of \$1,818
  - iii) The amount spent though this session is \$1,446.93 (May)
  - iv) Total tool & minor eq expenses \$2,264.93.
- c) The Chair asks if there is any other equipment discussion....
  - i) Jason Shaffer said that the “Craftsman” mower used to mow the Twp cemetaires is breaking down. He has repaired as best he can – it now does work. He feel's this unit won't last much longer – perhaps through this mowing season.
    - (1) Trustees asked that he keep them informed.
- d) The Chair asked if there was any other equipment discussion....
  - i) There was no other equipment discussion at this time.

#### **ORDER OF BUSINESS NO. 6 - Trustee Report – Monthly Twp Rd inspection**

- a) The Trustee Monthly Twp Rd inspection report, exhibit 6-a as completed by Trustee Bakle was reviewed.
  - i) Trustees reviewed the report with the Twp staff and instructed the Twp crew to address the work noted on the inspection report.
  - ii) Twp employees present were provided a copy of the report.
  - iii) Bakle also stated that he will be coordinating the use of a screener for the asphalt that Def Twp got last year from ODOT. Once screened this material is to be used to berm Hammersmith road and then for other Twp road projects.
    - (1) He asked that Twp employees give him some advance notice so they can immediately work on the screening of the asphalt so as to be able to return the unit to Farmer Twp asap.

- iv) Trustees had asked the fiscal officer to edit the road inspection form – the edited version was handed out at this session.
  - v) Trustees also asked the fiscal officer to create a “daily work” tracking form – this was distributed to the Trustees. They will required Twp crew to utilized for work tracking purposes.
  - vi) The June - Rd review is to be done by Trustee Peck.
- b) Twp Project(s) were then reviewed:
- i) The 2010 Project list of work to be done for the Twp by the Co Engineer's office was finalized in the April 2010 session. For a history see agendas from Feb 09 through April 10.
    - (1) Exhibit 6-b of the April 2010 Trustee's session was the final work agreement for work to be done by the Co engineer on behalf of the Twp Trustees.
    - (2) The 2010 project list cost is now \$91,655.29
    - (3) Projects are;
      - (a) Cement stabilization – Krouse rd
      - (b) Berming – kibble & def Paulding co line
      - (c) Pavement markings – bowman, ashwood, kibble
      - (d) Hot mix patching – ashwood, hammersmith & winn
      - (e) Chipseal – ashwood, kibble & winn
      - (f) Crackseal – kibble- completed in May.
  - ii) It was also noted that the Twp's normal road maintenance expenses average between \$70,000 and \$100,000. This amount includes eq maintenance and purchases/payments on eq debt and work crew salary & benefits.
    - (1) Estimated rd revenues for 2010 are approx \$235,000.
    - (2) Estimated expenses for 2010
      - (a) \$91,655 co eng work
      - (b) \$ 8,000 Indian bridge lane –
        - (i) Bakle stated he spoke with the Co Engineer – and this amount will be assigned to a future Ohio Publics Works Commission grant (OPWC). The work will be completed in 2010 but posted to a future grant that is to be provided to the Twp. the value of the work must (for accounting purposes) be posted to the Twp budget in 2010 or in whatever year the work is completed on the Twp's behalf regardless of which grant year is used.
        - (ii) The fiscal office noted that the \$8,000 is half of the project cost and the other \$8,000 is expected to come from a yet to be approved in 2010 CDBG grant. The Defiance County Commissioners are now review the 2010 CDBG grant applications and should be making a final project list soon.
      - (c) \$ 20,000 (estimated by Bakle) Hammersmith rd – re-build (acquire set back right of way and const drainage ditches).
      - (d) \$100,000 – normal twp road work, eq, road crew salaries etc.  
\$219,655
      - (e) The Chair asked for any additional comments – there were none.
  - iii) Noted in the Sept 09 Trustee session – trimming of overhanging tree branches along McCollister rd. This project was to be completed by the Boy Scout Camp Lakota maintenance dept on a volunteer basis.
    - (1) Trustee's said that the Co Engineer's department will trim these trees in the fall of 2010 and again the cost will be assigned to a future OPWC grant. Again, work done in 2010 for the Twp under this program must be posted to the 2010 budget for accounting purposes.
  - iv) Mayer is working on Twp long range planning with Dr. Philip Russo, PhD of the Department of Political Science Miami University, Oxford, Ohio, as approved by the Twp Trustees in the Feb 2010 session:
    - (1) The source books arrived and were provided to Mrs. Mayer in April 2010:
    - (2) Action plan – Mrs. Mayer stated she is reviewing the information and after her review will meet with Dr. Russo to determine the next steps.
    - (3) There were no other questions regarding this issue.
- c) Other possible projects – were then discussed.
- i) Indian Bridge Lane – CDBG grant project.
    - (1) Mr. Bakle is pursuing a CDBG grant through Maumee Valley Planning for road work to Indian bridge

Lane – this is now a planned 2010 project.

- (2) The Co Engineer's Office wrote the CDBG grant application. The project was based on the data collected at a public hearing on March 23<sup>rd</sup>.
  - (3) The grant application was submitted to Maumee Valley Planning's Niki Warncke by the Co Engineer's office and the project is now under consideration by the Co Bd of Commissioners.
    - (a) The Defiance County Commissioners are now reviewing the 2010 CDBG grant applications and should be making a final project list soon.
  - (4) The Chair asked if there is any discussion or comments – there were none.
- d) Twp cemeteries –
- i) The chair asked for discussion.
    - (1) Trustees informed the Twp crew that the Trustees were assigning mowing responsibilities to the individual crew members as follows:
      - (a) Taylor cemetery to Jason Schaffer
      - (b) Cromley cemetery to John Diemer
      - (c) Tuttle cemetery to Mike Daniel
      - (d) The Twp lot on Harding Rd to Ed Young
    - (2) Richard Ankney was recognized – he stated that Tuttle cemetery will need to be mowed 2 times for every time that Taylor is mowed. This is do to the growing conditions of the soil between the two cemeteries. (Ankney served 30 plus years as a twp worker and Trustee).
    - (3) Tom Mick questioned the need to make such an assignment – he suggested that one of the employees may not be available to mow when the property should be mowed.
      - (a) Trustees stated they will be monitoring the situation.
      - (b) There was no future discussion of this issue..

#### **ORDER OF BUSINESS NO. 7 – Handouts were distributed as noted below:**

- a) Monthly (May 10) GrassRoots clippings was distributed as exhibit 7a
- b) Exhibit 7-b was a notice from the County Commissioners office that the contracts have been awarded and work on the Auglaize River Sewer project is scheduled to start on or about June , 2010, and be completed sometime in November 2010.
  - (1) This is a mandated oepa project.
- c) Exhibit 7-c was a notice to Twp of the annual Stoneco "customer appreciation Day cookout".
  - i) May 27th, 11a to 1:30p at the Auglaize quarry.
- d) The Chair asked if there is any discussion or comments on any of the handouts – there were none.

#### **ORDER OF BUSINESS NO. 8 – Old Business**

- a) Mr. Bakle asked if there is any old business?
  - i) The fiscal officer reported on the safety items ordered as directed by the Trustees. These items arrived with the exception of the safety vests & 6 barricades. These are to arrive soon. Bill for ordered items delivered was part of the bills reviewed by Trustees at this session.
    - (1) Total cost was \$1,013.70. paid to date for items delivered \$621.48
  - ii) In the March session Trustees approved the Twp crew to utilize Juvenile probation's public works crew on certain Twp projects.
  - iii) Project update – Mayer said she had contacted the Juvenile – probate court and was told that this crew will be available to help with such items as picking up sticks. The crew supervisor is off on leave at present. Mayer suggested that the Twp crew not count on a lot of help from the Juvenile crew at this time.

#### **ORDER OF BUSINESS NO. 9 -- New Business.**

- a) The Chair asked if there is any new business to come before the board?
    - i) Peck was recognized – he asked if former Twp employee and Trustee Richard Ankney would accompany him on an inspection of the Twp roads and ditches to help provide a list of the subtleties of the Twp. Mr. Ankney had severed Def Twp for over 30 years and would be a good source to note such items as tile locations, areas of past concerns that may redevelop and go unnoticed without such input.
      - (1) Mr. Ankney agreed to volunteer to provide this service.
  - b) The Chair asked if there was any other new business to come before the Board. There was none.
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**ORDER OF BUSINESS NO. 10 - NEXT MEETING:**

**Date:** Tuesday, June 29<sup>th</sup>, 2010  
**Time:** 7:30 p.m.  
**Place:** 2<sup>nd</sup> floor of the Defiance County Commissioners building – conf room EMOC  
500 Court Street - Defiance, Ohio

Mr. Bakle then requested a motion to adjourn the meeting of May 25<sup>th</sup>, 2010.

It was moved by: Peck

SECOND by: Mayer

The roll was called and the vote was:

YEA(s) 3      NAY(s) 0      The motion:    Passed X                      Failed

MEETING ADJOURNED

Respectfully Submitted

Timothy J. Houck, Fiscal Officer-Clerk